

## THE CITY OF CLAYTON

Board of Aldermen  
City Hall – 10 N. Bemiston Avenue  
May 27, 2014  
7:00 p.m.

### Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Michelle Harris, Cynthia Garnholz, Mark Winings, Joanne Boulton, Alex Berger III, and Richard Lintz.

Mayor Sanger  
City Manager Owens  
City Attorney O'Keefe

**Alderman Winings moved to approve the May 13, 2014 minutes. Alderman Garnholz seconded.**

**The motion to approve the minutes passed unanimously on a voice vote.**

### PUBLIC REQUESTS AND PETITIONS

None

### PRESENTATIONS & ANNOUNCEMENTS

Mayor Sanger congratulated the 2013-2014 Mayor's Youth Advisory Committee for an excellent year. Seniors - Emma Ehll, Megan Niermann, Srijesh Panth, Adam Rangwala, Noah Watson, Sarah Casteel, Liam Dougan, Morris Mills, and Chadwick Yip were recognized for their hard work and commitment. Sarah Casteel was presented with an award for Outstanding Service and Commitment.

Mayor Sanger commented that this year the Committee began working on helping subdivisions create or update their websites and next year's Committee will continue that project.

### A PUBLIC HEARING AND RESOLUTION TO CONSIDER APPROVING A CONDITIONAL USE PERMIT FOR SAUCE ON THE SIDE LOCATED AT 7810 FORSYTH BOULEVARD

**Mayor Sanger opened the public hearing and requested proof of publication.**

City Manager Owens reported that this is a public hearing and subsequent resolution for a conditional use permit for the proposed operation of Sauce on the Side at 7810 Forsyth Boulevard. The fast casual restaurant features calzones and salads.

The restaurant space formerly occupied by Toss Across, measures 2,800 square feet. Seating for 62 patrons is proposed. Outdoor dining is not being requested.

Proposed hours of operation are 11:00 a.m. to 9:00 p.m. Monday through Wednesday and 11:00 a.m. to 11:00 p.m. Thursday through Saturday. The restaurant will be closed on Sunday. Deliveries to the restaurant will be made in the morning through the rear entrance. Trash will be stored in a shared dumpster located at the rear of the building. Delivery service is proposed. The applicant's lease includes two parking spaces at the rear of the building, one of which will be designated for use by the delivery vehicle in accordance with the City's delivery policy.

The Plan Commission considered this request at their May 5, 2014 meeting and voted to recommend approval of the Conditional Use Permit to the Board of Aldermen.

Recommendation is to conduct a public hearing and approve the resolution.

In response to the Board's questions, Mr. Ryan Mangialordo, MM&P Concepts, stated that they are planning on a July 1 opening and that they also have another restaurant in downtown St. Louis.

**Mayor Sanger opened the public hearing.**

**Alderman Harris moved to approve Resolution No. 14-11, a request for a Conditional Use Permit for 7810 Forsyth Blvd, Sauce on the Side Restaurant. Alderman Garnholz seconded.**

**The motion passed unanimously on a voice vote.**

#### FY2014 SECOND QUARTER FINANCIAL REPORT

Janet Watson, Director of Finance gave the Board a brief summary report on the 2<sup>nd</sup> Quarter Financial Report for FY2014. She noted that the report included the 2<sup>nd</sup> Quarter budget amendment passed by the Board at the May 13 meeting.

#### AN ORDINANCE TO CONSIDER APPROVING A PROJECT AGREEMENT (II) WITH THE CLAYTON CENTURY FOUNDATION FOR IMPROVEMENTS TO THE DOG PARK AT ANDERSON PARK

City Manager Owens reported that this is a Project Agreement that is intended to provide the City with the funds to make several improvements to the dog park. The facility was constructed on property that was acquired by the City as the result of a FEMA flood buyout program. While we did some remediation of the site and installed a rain garden to help with drainage, the site continues to be inundated with water during storms. This problem, along with the lack of a good stand of grass initially, has made it impossible to get grass to grow in the main area of the park and, as a result, makes for very muddy dogs after using the park. Members of the dog park have requested that the City explore other surface options in order to make the park more user-friendly. Staff researched other options for surfaces that might work more effectively at this site and have determined that the best options would be a combination of limestone subsurface covered by granite fines. Maryland Heights has used this surface for their dog park and have indicated that it has worked well for them. They did report that, on an annual basis, they need to bring in additional granite fines to top off the surface. The cost to do this will be covered by the membership fees charged for use of the park.

The second improvement will be the creation of a water feature on the southwestern edge of the park. This will be operational during the hot summer months and will be, in essence, a small dog swimming pool. The original park design included this feature but it was not built last summer due to the need for additional funds to cover this cost. Those funds will be included in the \$22,500 pledged in this project agreement.

Due to the fact that this is a change in scope of work from the original project agreement, we felt it best to bring a new project agreement to the Board for consideration. The estimated cost for this work is \$22,500; this agreement would call for this to be fully funded by CCF. Included in this document is a scope of work and payment arrangements as well as other items related to the timing of the construction and reporting responsibilities.

Recommendation is to approve Project Agreement II with the Clayton Century Foundation for improvements to the Dog Park at Anderson Park.

**Alderman Harris introduced Bill No. 6445, to approve a project agreement with Clayton Century Foundation for the Anderson Dog Park, to be read for the first time by title only. Alderman Garnholz seconded.**

In response to the Board's questions, Patty DeForrest, Director of Parks, stated that there was discussion at the Parks and Recreation Commission meeting and they were all in favor of the improvements (and the agreement). She said that they currently have 89 memberships, which are down from last year. Director DeForrest believes that the number will increase after these improvements.

**City Attorney O'Keefe reads Bill No. 6445, an Ordinance Approving Project Agreement II With the Clayton Century Foundation for Improvements to the Dog Park at Anderson Park for the first time by title only.**

**The motion passed unanimously on a voice vote.**

**Alderman Harris introduced Bill No. 6445, to approve a project agreement with Clayton Century Foundation for the Anderson Dog Park, to be read for the second time by title only. Alderman Garnholz seconded.**

**City Attorney O'Keefe reads Bill No. 6445 for a second time; Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; and Mayor Sanger – Aye. The Bill was adopted and became Ordinance No. 6321 of the City of Clayton.**

#### **AN ORDINANCE TO CONSIDER APPROVING A RIGHT-OF-WAY ACQUISITION AT 112 S. HANLEY ROAD**

City Manager Owens reported that the Public Works Department is requesting approval of right-of-way (ROW) acquisition at the southeast corner of the Hanley/Carondelet intersection (112 S. Hanley Road). This corner has long been problematic, as limited ROW results in a restricted turning radius and curb ramps that are not ADA compliant.

In 2012, the City commissioned a study of this intersection through Missouri's Transportation Engineering Assistance Program (TEAP). The study evaluated current conditions and proposed improvements. Since that time, the southwest corner of the intersection has been improved by the adjacent property owner (wall removed).

St. Louis County is currently finalizing plans to resurface Hanley Road in 2015. As part of this project, they will also be replacing deficient curb ramps where ROW is available, beginning as early as this fall. By the City acquiring the needed ROW at the southeast corner, the County will be able to replace the ramp as part of its project.

In the fall of 2013, the City contracted with O.R. Colan to provide professional property acquisition services in accordance with the Uniform Act. Since that time, surveys have been performed, exhibits prepared, appraisals performed, and construction costs estimated. On the City's behalf, O.R. Colan has successfully negotiated with both the property owner and tenants. The property owner will be compensated for the fair value of the property, while the tenant will be compensated for their inconvenience and relocation of the sign/wall. The owner and tenant will be paid cost-to-cure, which they will utilize to relocate the sign, leaving space for the County's contractor to install an ADA-accessible ramp.

Recommendation is to approve the ordinance authorizing the City Manager to execute agreements regarding the right-of-way acquisition at 112 S. Hanley Road.

**Alderman Harris introduced Bill No. 6446, to approve a right-of-way at Hanley Road and Carondelet Avenue, to be read for the first time by title only. Alderman Garnholz seconded.**

**City Attorney O'Keefe reads Bill No. 6446, an Ordinance Approving a Right-of-Way Acquisition at 112 S. Hanley Road for the first time by title only.**

**The motion passed unanimously on a voice vote.**

**Alderman Harris introduced Bill No. 6446, to approve a right-of-way at Hanley Road and Carondelet Avenue, to be read for the second time by title only. Alderman Garnholz seconded.**

**City Attorney O’Keefe reads Bill No. 6446 for the second time by title only; Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; and Mayor Sanger – Aye. The Bill was adopted and became Ordinance No. 6322 of the City of Clayton.**

Other

Mayor Sanger reported that the St. Louis County Economic Development Partnership Collaboration is working on a joint effort with St. Louis City to attract and keep businesses in the region.

City Manager Owens reported that he attended the American Public Works Association Conference in Kansas City along with Dale Houdeshell and staff.

**Alderman Lintz moved that Board adjourn to a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, and to discuss matters related to negotiation of a contract pursuant to Section 610.021(12), RSMo. and/or proprietary information pursuant to Sec. 610.021(15). Alderman Berger seconded the motion.**

**Alderman Harris – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; Alderman Lintz – Aye; and Mayor Sanger – Aye.**

There being no further regular business the meeting was adjourned at 7:45 p.m.

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Mayor

ATTEST:

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City Clerk